

S. R. No. 1189—By Senator Watson: Extending welcome to Girl Scouts from Troops 458 and 219, Waco.

S. R. No. 1190—By Senator Herring: Extending welcome to eighth grade students from Fulmore Junior High School.

S. R. No. 1191—By Senator Watson: Extending welcome to students from St. Paul's Episcopal School, Waco.

S. R. No. 1192—By Senator Wallace: Extending welcome to Honor Students from 15 Schools in Houston.

S. R. No. 1193—By Senator McKool: Extending welcome to members of Dallas Mexican Chamber of Commerce.

S. R. No. 1194—By Senator Wilson: Extending congratulations to San Augustine High School track team.

S. R. No. 1195—By Senator Wilson: Extending congratulations to Malakoff Tigers track team.

S. R. No. 1196—By Senator Wilson: Extending congratulations to Dr. John T. Moore.

Adjournment

On motion of Senator Aikin the Senate at 4:17 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 11, 1971

S. B. No. 518.

S. B. No. 136.

S. B. No. 244.

S. B. No. 729.

S. B. No. 679.

S. B. No. 316.

S. B. No. 938.

S. B. No. 757.

S. B. No. 527.

S. B. No. 67.

S. J. R. No. 7.

S. C. R. No. 92.

S. C. R. No. 93.

S. C. R. No. 15.

SIXTY-NINTH DAY

(Wednesday, May 12, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Aikin.

Reports of Standing Committees

Senator Bates submitted the following reports for the Committee on Transportation:

H. B. No. 936.

H. B. No. 542.

Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 1440.

S. B. No. 983.

Senator Snelson submitted the following reports for the Committee on Oil and Gas:

S. B. No. 946.

Senator Connally submitted the following reports for the Committee on Parks and Wildlife:

H. B. No. 1205 (Floor report).

S. B. No. 821.

H. B. No. 372 (Amended).

Senator Bridges submitted the following reports for the Committee on Commerce and Industry:

S. B. No. 986.

H. B. No. 933.

H. B. No. 681.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 12, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 139, Commending Gordon Merrill Rubinett.

H. B. No. 132, A bill to be entitled "An Act raising the salaries of justices of the peace and constables in counties having a population of at least 195,001 and not more than 600,000 inhabitants by amending Section 5, Chapter 110, Acts of the 55th Legislature, Regular Session, 1957 (Article 3912i, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 416, A bill to be entitled "An Act to be known as the 'Texas Pawnshop Act,' providing definitions, requiring licensing and establishing requirements for licenses, setting license fees, providing for revocation, suspension, surrender and reinstatement of licenses upon certain condi-

tions, providing for examinations, specifying books and records to be kept and authorizing the issuance of regulations, setting documentation requirements, eliminating pledgors' liability, limiting charges, establishing a right to redeem and a minimum redemption period, creating a presumption upon delivery of pawn tickets, providing for lost or destroyed pawn tickets, prohibiting certain practices, establishing penalties and providing for administrative enforcement thereof, repealing inconsistent provisions, providing severability, and declaring an emergency."

H. B. No. 638, A bill to be entitled "An Act relating to amending the inheritance tax law to change the time for the presumption that a gift is made in contemplation of death, to allow valuation of certain divided estates in the same manner as for federal estate tax purposes, to provide for a 10-year graduated deduction for certain property in the gross estate, to allow certain United States obligations to be valued at par value, to change certain valuation dates, to provide a single due date for a preliminary report, to require the county clerk to submit certain documents to the Comptroller, to provide a due date for the payment of the tax, to impose certain penalties for late payment, and making certain other conforming amendments; amending Article 14.01, Article 14.08, Article 14.10, Sections (A) and (B) of Article 14.11, Sections (A), (B), and (C) of Article 14.14, Section (A) of Article 14.16, and Article 14.17, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; providing for severability; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 96

Senator Herring offered the following resolution:

S. C. R. No. 96—Authorizing State of Texas to accept contributions for the acquisition of a site for a statewide museum.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 1440 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, H. B. No. 1440 was ordered not printed.

Message From the Governor

The following message received from the Governor was read and filed with the Committee on Nominations:

Austin, Texas
May 12, 1971

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a member of the Battleship Texas Commission:

To fill the unexpired term of C. H. Coffield, of Houston, Harris County, resigned, term to expire May 1, 1973:

Ralph F. Block, of Houston, Harris County.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

House Bill 168 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 168, A bill to be entitled "An Act relating to the removal of justices of the peace; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 168 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 168 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin Beckworth
Bates Bernal

Blanchard	Jordan
Bridges	Kothmann
Brooks	McKool
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson

Nays—1

Mauzy

Absent

Hall	Word
Kennard	

Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1786 on Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1786, A bill to be entitled "An Act relating to the effective date of Chapter 54 of the Water Code; amending Section 4, House Bill No. 1458, Acts of the 62nd Legislature, Regular Session, 1971; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1786 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1786 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Beckworth
Bates	Bernal

Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson
Jordan	Word

Absent

Hall	Kennard
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Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Jordan
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Blanchard	Patman
Bridges	Ratliff
Brooks	Schwartz
Christie	Sherman
Connally	Snelson
Creighton	Wallace
Grover	Watson
Harrington	Wilson
Harris	Word
Hightower	

Nays—1

Herring

Absent

Hall	Kennard
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Absent—Excused

Moore

Senate Bill 329 With House Amendments

Senator Bridges called S. B. No. 329 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend Senate Bill No. 329, House First Printing, by striking all below the enacting clause and substituting the following:

Section 1. Section 60.118, Water Code, is amended to read as follows:

"Section 60.118. BOARD OF TRUSTEES OF FACILITY. (a) A district which constructs, purchases, or otherwise acquires or plans to construct, purchase, or otherwise acquire any facility authorized in Section 60.101 of this code to be paid for in whole or in part by the issuance and sale of obligations payable from and secured by a pledge of revenue authorized in this subchapter may vest management and control of the facility during the time the obligations or refunding obligations are secured in whole or in part by the pledge of revenue, in a board of trustees named in the resolution or indenture.

"(b) The board of trustees shall consist of not less than five nor more than nine members, and shall be entitled to receive the compensation fixed by the resolution or indenture, which shall not be more than one percent of the gross receipts of the grain elevator in any one year.

"(c) The commission shall specify in the resolution or indenture:

"(1) the terms of office of the members of the board of trustees;

"(2) the powers and duties of the board, including the power to fix fees and charges for the use of the facility;

"(3) the manner of exercising the powers and duties;

"(4) the manner of selecting the successors of the board of trustees; and

"(5) all matters relating to board members' duties and the organizing of the board.

"(d) The board of trustees may adopt bylaws regulating the procedure of the board and fixing the duties of its officers, but the bylaws may not contain any provision in conflict with the covenants and provisions contained in the resolution authorizing the bonds or in the indenture.

"(e) In all matters relating to powers, duties, obligations, and procedure of the Board of Trustees which are not covered in the bylaws and the resolution or indenture, the laws and

rules governing the commission shall control, where applicable.

"(f) When the board is created by the resolution or indenture, it shall have all of the power and authority for the management and operation of any facility which could be exercised by the commission.

"(g) By the terms of the resolution or indenture, the commission may make provision for later supplementation of the resolution or indenture to vest the management and control of the facility in a board of trustees having the powers, rights, and duties conferred or imposed by this section."

Sec. 2. The provisions of any resolution or indenture adopted or executed by any district before the effective date of this Act providing for the creation of the board of trustees at the time this Act becomes effective are hereby validated, confirmed, and ratified.

Sec. 3. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 2

Amend the caption to conform to the body of the bill of S. B. 329.

The House amendments were read.

Senator Bridges moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct

the Conference Committee on S. B. No. 329 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Bridges, Brooks, Wallace, Kothmann and Wilson.

Committee Substitute

House Bill 333 on Second Reading

On motion of Senator Christie and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 333, A bill to be entitled "An Act relating to the regulation of proprietary business, technical, vocational and home study schools; defining terms; providing for the issuance and revocation of certificates of approval; providing for class action suits pursuant to Rule 42 of the Texas Rules of Civil Procedure; amending Title 2, Texas Education Code, by adding Chapter 32, repealing Chapter 250, Acts of the 41st Legislature, Regular Session, 1929 (Article 1415a, Vernon's Texas Civil Statutes, and Article 301a, Vernon's Texas Penal Code); establishing prohibited acts and penalties; providing for enforcement; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Christie offered the following amendment to the bill:

Amend C. S. H. B. No. 333 by adding a new subsection to Section 3233 as follows: "(o) The school does not use a name like or similar to an existing tax supported school in the same area."

The amendment was read and was adopted.

On motion of Senator Christie and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Vote

Senator Brooks asked to be record-

ed as voting "Nay" on the passage of the bill to third reading.

**Committee Substitute
House Bill 333 on Third Reading**

Senator Christie moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. H. B. No. 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Patman
Brooks	Ratliff
Christie	Schwartz
Connally	Sherman
Creighton	Snelson
Grover	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent

Hall Kennard

Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 116 With
House Amendment**

Senator Watson called S. B. No. 116 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Senate Bill No. 116 by striking the close-quotation marks at the end of quoted Article 1.141 and adding there the following sentence:

On waiver as provided in this article, the accused shall be charged by information."

The House amendment was read.

Senator Watson moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hightower
Bates	Jordan
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Patman
Brooks	Ratliff
Christie	Schwartz
Connally	Sherman
Creighton	Snelson
Grover	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent

Hall Kennard

Absent—Excused

Moore

House Bill 369 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 369, A bill to be entitled "An Act authorizing the Board of Regents of East Texas State University to sell and convey certain lands to be used for the site of a motel in consideration of a sum agreeable to the board, etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 369 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 369 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Beckworth
Bates	Bernal

Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson
Jordan	Word

Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

House Bill 53 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 53, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter of the 112th Judicial District of Texas; providing a saving clause; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 53 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

House Bill 1636 on Second Reading

On motion of Senator Ratliff and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1636, A bill to be entitled "An Act relating to the compensation of the judge of the County Court at Law of Taylor County; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1636 on Third Reading

Senator Ratliff moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1636 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Grover
Bates	Hall
Beckworth	Harrington
Bernal	Harris
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Kennard
Connally	Kothmann
Creighton	Mauzy

McKool	Snelson
Patman	Wallace
Ratliff	Watson
Schwartz	Wilson
Sherman	Word

Absent—Excused

Moore

House Bill 292 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 292, A bill to be entitled "An Act relating to the compensation of the judge of the 149th Judicial District; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 292 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 292 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

(President in Chair.)

Presentation of Guests

The President recognized Senator Watson, who presented as guests of the Senate today the Temple Junior College Choir and requested permission that they be granted permission to proceed to the Bar of the Senate.

There was no objection offered.

The Choir then presented musical selections for the pleasure of the Senate.

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 232.
S. B. No. 372.
S. B. No. 807.
S. B. No. 652.
S. B. No. 338.
S. B. No. 245.
S. B. No. 563.
S. B. No. 255.
S. B. No. 412.
S. B. No. 502.
S. B. No. 424.
S. B. No. 870.

S. B. No. 917.

S. B. No. 414.

S. B. No. 128.

S. B. No. 543.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 12, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 50, A bill to be entitled "An Act amending Article 23.05, Code of Criminal Procedure, 1965, providing for issuance of capias for arrest of a defendant following forfeiture of bail; providing rules for making a new bail; and declaring an emergency."

H. B. No. 52, A bill to be entitled "An Act increasing the penalty for dumping, depositing, or leaving refuse, garbage, rubbish, or junk on or near a public highway; amending Section 3, Chapter 53, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Article 696a, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 263, A bill to be entitled "An Act relating to the filing and execution of certain notices and certificates concerning liens upon real and personal property for taxes payable to the United States and prescribing certain fees; and declaring an emergency."

H. B. No. 267, A bill to be entitled "An Act making the offer to sell or deliver a dangerous drug a felony; making the offer to buy a dangerous drug a misdemeanor; providing penalties; amending Section 3, and Subsection (b) of Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 268, A bill to be entitled "An Act making the offer to sell a narcotic drug a felony; making the offer to buy a narcotic drug a misde-

meanor; providing penalties; amending Subsection (a), Section 2, Section 2A, and Subsection (a), Section 23; and adding Subsection (d) to Section 23, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 725b, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 272, A bill to be entitled "An Act allowing tax-free sales of motor fuel to the state and its political subdivisions; providing for refunds of motor fuel tax paid by the state and its political subdivisions; amending Section (1), Article 9.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; amending Sections (1) and (3), Article 9.05, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; amending Section (3), Article 9.13 of Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; amending Subsection (a), Section (8), Article 9.13, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925 as amended; and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act relating to the establishment of the Texas Commission on Services to Children and Youth; and declaring an emergency."

H. B. No. 534, A bill to be entitled "An Act relating to the punishment for threatening a witness in a criminal proceeding; amending Article 1265, Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 579, A bill to be entitled "An Act providing for the validation of certain actions of towns and cities of this state taken during the year 1970 pursuant to Article 5890e, V.T.C.S. and Article 1175, V.T.C.S., in implementation of a decision by the President of the United States or Governor of the State declaring the territory encompassing the city or town to be a disaster area; providing for repeal of all laws in conflict; providing a severability clause; and declaring an emergency."

H. B. No. 591, A bill to be entitled "An Act amending Chapter 68, Acts of the 48th Legislature, 1943, as amended (Article 5172a, Vernon's Texas Civil Statutes); relating to hours of work for employees; providing penalties; and declaring an emergency."

H. B. No. 631, A bill to be entitled "An Act authorizing the importation into this state of not more than 10 containers of distilled spirits containing not more than two ounces each for use and consumption and not for resale; authorizing the issuance of tax stamps for these containers of distilled spirits; providing a minimum tax of five cents for containers of distilled spirits; amending Subsection (15) of Section 17, Section 21, and Section 21a, Article 1, Texas Liquor Control Act, as amended (Articles 666-1 through 666-57, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 1016, A bill to be entitled "An Act amending Sections 2 (d), 2 (e) and 2 (f) and adding a new Section 2(i), Chapter 722, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 46.02, Code of Criminal Procedure, 1965, as amended); relating to the state mental hospital to which defendants shall be committed; relating to the reimbursement of a state mental hospital for charges incidental to psychiatric examinations; relating to the transfer of patients; and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act authorizing drainage districts subject to the provisions of Article 8161d, Revised Civil Statutes of Texas, 1925, to contract for work to be performed and to purchase equipment, material and supplies in amounts not to exceed One Thousand Dollars (\$1,000.00) without taking bids therefor; increasing the per diem compensation and automobile expense allowance of commissioners of such districts; amending Section 2 and Section 8 of Article 8161d, Revised Civil Statutes of Texas, 1925, to accomplish the foregoing purposes; and declaring an emergency."

H. B. No. 1053, A bill to be entitled "An Act relating to the salaries of certain county and district officials in certain counties; and declaring an emergency."

H. B. No. 1117, A bill to be entitled "An Act providing for the appointment by the District Judge of the 64th Judicial District of Texas, composed of the Counties of Hale, Swisher and Castro, of an official shorthand reporter for such judicial district; providing his qualifications; provid-

ing that the salary of said official shorthand reporter shall be fixed and determined by the judge of said judicial district and not otherwise; providing for the manner of payment of said salary and out of what fund; providing for transcript fees and allowance for hotel and traveling expenses; providing a saving clause; and declaring an emergency."

H. B. No. 977, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Concord Public Utility District'; etc.; and declaring an emergency."

H. B. No. 843, A bill to be entitled "An Act relating to runoff elections for trustee of an independent school district; amending Section 23.11, Texas Education Code, by adding a Subsection (h); and declaring an emergency."

H. B. No. 857, A bill to be entitled "An Act amending Sections 9.403, 9.404, 9.405, and 9.406 of the Business & Commerce Code, as amended; and declaring an emergency."

H. B. No. 862, A bill to be entitled "An Act relating to creditable service under the Employees Retirement System in certain circumstances; amending Section 4, Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), by adding a new Subsection H; and declaring an emergency."

H. B. No. 887, A bill to be entitled "An Act permitting courts to order the payment of fines and costs in installments or at a later date; amending (Articles 42.15, 43.03, 43.04, 43.05, 45.50, 45.51, and 45.52, Code of Criminal Procedure, 1965); and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act relating to certain insurers giving policyholders credit for any or all hazards that have been reduced or removed and relating to the revising of rates for certain insurance; amending Articles 5.33 and 5.34, Texas Insurance Code; and declaring an emergency."

H. B. No. 827, A bill to be entitled "An Act creating and establishing a Conservation and Reclamation Dis-

trict under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as 'Beltway Municipal Utility District'; etc.; and declaring an emergency."

H. B. No. 839, A bill to be entitled "An Act authorizing creation of the Red River County Hospital District; providing that the district shall assume any outstanding debt of Red River County incurred for hospital purposes and any outstanding debt incurred by any city or town within said county for such purpose; providing for an election within the area of the proposed hospital district and making certain findings in connection therewith; providing for the operation and financing of the district, including the procedures it is to follow; including other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 1153, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under and essential to the purposes of Article 16, Section 59 of the Constitution of Texas to be known as 'Montgomery County Utility District No. 4'; etc.; and declaring an emergency."

H. B. No. 1163, A bill to be entitled "An Act relating to the possession of motor vehicles on which the engine numbers have been removed, erased, or destroyed; providing penalties for violation; amending the Penal Code of Texas, 1925, by amending Article 1431 and adding Article 1431a; and declaring an emergency."

H. B. No. 1202, A bill to be entitled "An Act relating to the release of a defendant on personal bond; amending the Code of Criminal Procedure, 1965; and declaring an emergency."

H. B. No. 1149, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Hannah Nash Public Utility District,' etc.; and declaring an emergency."

H. B. No. 1683, A bill to be entitled "An Act authorizing cities, towns, and villages to contract with civic center authorities; declaring the applicability of the Act; authorizing the contracts for certain purposes and providing for the terms, conditions,

and duration thereof; providing for payments by city to an authority and declaring the sources therefor; providing for election by a city for authority to levy and collect ad valorem taxes; providing that this Act shall control in instances of conflict with general laws or home-rule charters; containing other provisions relating to the subject; and declaring an emergency."

H. B. No. 1684, A bill to be entitled "An Act amending Article 4413d-1, Vernon's Annotated Civil Statutes providing for a separate Office of State-Federal Relations; providing that the Director of the Office of State-Federal Relations shall serve at the pleasure of the Governor; providing that the Director of the Office of State-Federal Relations may receive up to \$25.00 per diem allowance in addition to the General Appropriations Acts; providing that the Director of the Office of State-Federal Relations shall report to the Governor; and creating an emergency."

H. B. No. 1714, A bill to be entitled "An Act relating to the authorization for life insurance companies to make student loans guaranteed by the federal government; amending Subchapter C, Chapter 3, Insurance Code, by adding Article 3.41a; and declaring an emergency."

H. B. No. 1724, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Fort Bend County, Texas, to be known as Thunderbird Utility District; etc., and declaring an emergency."

H. B. No. 1627, A bill to be entitled "An Act relating to incorporated cities with a population of not less than 7,800, and not more than 8,000, according to the last preceding federal census, validating certain unenforceable tax levies; providing for valid annual levies hereafter; providing for cases of tax levies made but not properly recorded and to declare that assessment and collection of taxes for any year constitute notice of a tax levy made, these provisions to be cumulative of existing rights and remedies now available; defining terms; specifying inapplicability of this Act; to provide for severability; and declaring an emergency."

H. B. No. 1632, A bill to be entitled "An Act relating to the compensation of certain substation deputy tax collectors; and declaring an emergency."

H. B. No. 1656, A bill to be entitled "An Act granting to the City of Corpus Christi, the United States Corps of Engineers, and their duly authorized agents and contractors, a construction easement for the purpose of conducting dredging, filling, excavation and all other necessary operations in furtherance of the purpose of the restoration of an area commonly known as Corpus Christi Beach, and more particularly described herein, on land which belongs to the State of Texas or to which the state has title or interest, providing a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 1662, A bill to be entitled "An Act requiring the Texas School for the Deaf to remain open and hold classes for 12 months of the year; and declaring an emergency."

H. B. No. 1672, A bill to be entitled "An Act relating to contracts and leases for the operation of water systems; amending Section 1, Chapter 342, Acts of the 51st Legislature, Regular Session, 1949 (Article 1109e, Vernon's Texas Civil Statutes), and adding Section 62.120 to the Water Code; and declaring an emergency."

H. B. No. 1492, A bill to be entitled "An Act amending Section 15 of Chapter 425, Acts of the 55th Legislature, Regular Session, 1955, as last amended by Chapter 126, Acts of the 61st Legislature, Regular Session, 1969, so as to remove the Thirty Million Dollar limitation on the purchase by the Texas Water Development Board of bonds or other securities of a political subdivision; and declaring an emergency."

H. B. No. 1596, A bill to be entitled "An Act adding to the jurisdiction of the County Court at Law of Orange County; providing for jurisdiction of a court of domestic relations; providing that said Court shall have concurrent jurisdiction with the District Courts of said County in certain enumerated matters, for the exchange of benches with the District Judges in said matters and the transferring of cases; providing a method of selecting a special Judge of said Court when the Judge of the County Court

at Law of Orange County is disqualified or unable to serve; providing that nothing in this Act shall diminish the jurisdiction of the District Courts of Orange County; providing as additional concurrent jurisdiction, the County Court at Law of Orange County shall have original and appellate concurrent jurisdiction with the County Court of Orange County in civil and criminal matters, eminent domain, and probate and certain exceptions to concurrent jurisdiction; providing for the filing of cases with the County Clerk, the docketing of said cases; providing the Clerks for said Court; providing for the filing of cases with the District Clerk of Orange County; that said Court shall be a Court of record, have a seal; providing the duties and functions of Sheriff and other departments in connection with said Court; providing certain powers for said Court; providing the terms of said Court; providing that the Judge of said Court shall be a member of the Juvenile Board of Orange County, Texas; providing for appeals; providing for rules of practice and procedure laws of evidence and juries, procedures in said Court for the appointment and salary of a Court Reporter; the use and compensation of interpreters; that said Judge may not practice law; providing for compensation for the Judge of the County Court at Law of Orange County; providing that jurisdiction of the present District and County Courts shall not be diminished; providing for repeal of inconsistent Acts; providing for severance in case part of Act is found unconstitutional; and declaring an emergency."

H. B. No. 1607, A bill to be entitled "An Act relating to the salaries of the assistants to the county school superintendents in certain counties; and declaring an emergency."

H. B. No. 1618, A bill to be entitled "An Act relating to the salary of the official shorthand reporter for the 142nd Judicial District of Texas; amending Section 1, Chapter 25, Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 2326j-16, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1207, A bill to be entitled "An Act relating to the abolition of

the office of county auditor in certain counties; and declaring an emergency."

H. B. No. 1216, A bill to be entitled "An Act relating to abolition of the offices of elective county superintendent and county board of school trustees; amending Section 17.64, Texas Education Code; and declaring an emergency."

H. B. No. 1268, A bill to be entitled "An Act amending Section 6, Chapter 266, Acts of the 53rd Legislature, Regular Session, 1953, as amended, to provide that in all counties having a population of not less than 750,000 nor more than 1,000,000 according to the last preceding Federal Census, the Board of Hospital Managers for the county hospital district shall supervise and be responsible for the making of purchases and expenditures and providing for public notice and competitive bids on any contract for construction, equipment, goods, supplies or services involving \$1,000 or more; providing for certain bonds to be furnished by bidders; excluding certain contracts and purchases from requirement of public notice and competitive bidding; defining 'the last preceding Federal Census'; and declaring an emergency."

H. B. No. 1353, A bill to be entitled "An Act relating to the salaries of deputy sheriffs in certain counties; and declaring an emergency."

H. B. No. 1409, A bill to be entitled "An Act amending Chapter IV, Article 2, of The Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, relating to the voting rights of certain state bank stock; and declaring an emergency."

H. B. No. 1414, A bill to be entitled "An Act authorizing the Texas Water Rights Commission to require recreational purposes as an authorized use of public water impounded and appropriated under permits from the Commission; and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate

Bill No. 442. House Conferees: Atwell, Hull, Spurlock, Braeklein, Boyle.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 681 Ordered Not Printed

On motion of Senator Bates and by unanimous consent, H. B. No. 681 was ordered not printed.

Executive Session

On motion of Senator Christie and by unanimous consent the Senate agreed to hold an Executive Session at 11:30 o'clock a.m. today (he having given Notice on yesterday).

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be District Attorney of the 25th Judicial District: To be effective April 30, 1971: Houston C. Munson, Gonzales, Gonzales County.

To be a Judge of the 25th Judicial District: To be effective April 30, 1971: B. B. Schraub, Seguin, Guadalupe County.

To be a Member of the State Judicial Qualifications Commission: For a term ending November 19, 1971: Clarence A. Guittard, Dallas, Dallas County. For a six-year term to expire November 19, 1975: Donald Eastland, Hillsboro, Hill County; Homer E. Stephenson, Beaumont, Jefferson County; Vernon Butler, Carthage, Panola County; Howard C. Davison, Lubbock, Lubbock County. For a term expiring November 19, 1971: R. C. Vaughn, Sherman, Grayson County. For a six-year term to expire November 19, 1973: F. Howard Walsh, Fort Worth, Tarrant County.

To be Associate Justice, Court of Civil Appeals, 5th Supreme Judicial District: Clarence A. Guittard, Dallas, Dallas County.

To be a Member of the State Board of Dental Examiners: For a six-year term to expire May 10, 1975: Richard Thorp Weber, D.D.S., Austin, Travis County; Lynden Maurice Kennedy, D.D.S., Dallas, Dallas County.

To be a Member of the National Conference on Uniform State Law: For a four-year term to expire July 7, 1973: Millard H. Ruud, Austin, Travis County; Tom Martin Davis, Houston, Harris County.

To be a Member of the Board of Directors of Texas Southern University: For a four-year term to expire June 30, 1974: Henry H. (Hal) Dewar, San Antonio, Bexar County. For a six-year term to expire February 1, 1975: Reverend Marvin Collins Griffin, Austin, Travis County; Raymond D'Hart Douglas, M.D., Jefferson, Marion County.

To be a Member of the State Board of Podiatry Examiners: For a six-year term to expire July 10, 1975: Joseph R. Ordile, D.S.C., Fort Worth, Tarrant County; Edward G. Fisch, D.P.M., Austin, Travis County.

To be a Member of the State Board of Pharmacy: For a six-year term to expire June 14, 1975: Ed Minor, Austin, Travis County; Homer "Punch" Irvin Nelson, Brownfield, Terry County.

To be a Member of the State Board of Chiropractic Examiners: For a term to expire August 3, 1973: Dr. S. M. Elliott, Dayton, Liberty County. For a six-year term to expire August 3, 1975: Dr. Wayne Wilson Lundberg, Lubbock, Lubbock County; Dr. Oliver Roy Smith, El Paso, El Paso County; Dr. Elton Hugh Berkman, Colorado City, Mitchell County.

To be a Member of the Texas Conservation Foundation: For a two-year term to expire January 31, 1971: Elo J. Urbanovsky, Lubbock, Lubbock County; Charles Schreiner, III, Mountain Home, Kerr County; Reagan Behrman Cates, Victoria, Victoria County. For a four-year term to expire January 31, 1973: Glenn Biggs, Austin, Travis County; Michael Giles Rutherford, Houston, Harris County. For a six-year term to expire January 31, 1975: Williams James Hendrickson, Wichita Falls, Wichita County; Ralph D. Churchill, Dallas,

Dallas County; Raiford Stripling, San Augustine, San Augustine County. For a six-year term to expire January 31, 1977: C. H. Coffield, Houston, Harris County; Gene Ray Hendryx, Alpine, Brewster County; Elo J. Urbanovsky, Lubbock, Lubbock County.

To be a Member of the Texas Turnpike Authority: For a term to expire February 15, 1971: Albert Williamson Rollins, Arlington, Tarrant County. For a six-year term to expire February 15, 1975: J. Frank Holt, III, Dallas, Dallas County; John P. Thompson, Dallas, Dallas County.

To be a Member of the State Board of Veterinary Medical Examiners: For a six-year term to expire August 26, 1975: Gordon Spillman Yeargan, Jr., D.V.M., Gainesville, Cooke County; Roy Albert Riddels, D.V.M., Sherman, Grayson County.

To be a Member of the Tuberculosis Advisory Committee: For a six-year term to expire August 31, 1975: John Stewart Chapman, M. D., Dallas, Dallas County; L. J. Whetsell, Houston, Harris County; David McCullough, M. D., San Antonio, Bexar County.

To be a Member of The Board of Directors of The Coastal Industrial Water Authority: For a two-year term to expire March 31, 1971: Johnnie Glen Jennings, Baytown, Chambers County; James D. Dannenbaum, Houston, Harris County. For a two-year term to expire March 31, 1972: Buster Eugene French, Dayton, Liberty County. For a two-year term to expire March 31, 1973: Johnnie Glen Jennings, Baytown, Chambers County; James D. Dannenbaum, Houston, Harris County.

To be a Member of the Joint Board of Park Commissioners: For a two-year term to expire June 29, 1971: Willard Barr, Fort Worth, Tarrant County; Sam Canteley, III, Fort Worth, Tarrant County; David Bruton, Jr., Dallas, Dallas County; S. T. Chandler, Jr., Dallas, Dallas County; Mrs. Preston M. Geren, Fort Worth, Tarrant County.

To be a Member of the Texas Water Well Drillers Board: For a term to expire September 15, 1971: B. F. Block, Sunray, Moore County. For a six-year term to expire September 15, 1975: W. D. Jones, Dumas, Moore County; Forrest Cecil Gill, El Paso, El Paso County.

To be a Member of the Board of Directors of The Upper Colorado River Authority: For a term to expire January 1, 1975: Royce Lee, Bronte, Coke County. For a six-year term to expire January 1, 1977: Cumbe L. Ivey, Robert Lee, Coke County; Everett J. Grindstaff, Ballinger, Runnels County.

To be a Member of the Tri-County Municipal Water District: For a two-year term to expire July 22, 1971: W. W. Siddons, Jr., Hillsboro, Hill County.

To be a Member of the San Jacinto Historical Advisory Board: For a six-year term to expire September 1, 1975: Miss Lennie Estelle Hunt, Houston, Harris County.

To be a Member of the State Board of Public Welfare: For a six-year term to expire January 19, 1975: William Wigley Bond, Hillsboro, Hill County.

To be a Member of the Polygraph Examiners Board: For a six-year term to expire June 18, 1975: Henry LeBrozec, Canty, Austin, Travis County.

To be a Member of The Texas Water Quality Board: For a six-year term to expire August 31, 1975: David Edward Clemens, Mineral Wells, Palo Pinto County.

To be a Member of the Texas Industrial Commission: For a six-year term to expire February 15, 1977: John B. Turner, Jr., Houston, Harris County.

To be a Member of the Texas Water Development Board: For six-year term to expire December 31, 1975: John Henry McCoy, New Boston, Bowie County.

To be a Member of the Commission For Rehabilitation: For a term to expire August 31, 1973: Dr. James Harris Sammons, Baytown, Harris County.

To be a Branch Pilot for the Ports of Galveston and Texas City: For a four-year term to expire April 5, 1975: Capt. Charles R. Gilchrist, La Marque, Galveston County.

To be a Member of the State Board of Hairdressers and Cosmetologists: For a six-year term to expire August 9, 1975: Mrs. Vera J. Lafoon, Wichita Falls, Wichita County.

To be a Member of the Texas Board of Licensure for Nursing Home Administrators: For a two-year term to expire June 2, 1971: Virgil Newton Maxwell, Houston, Harris County; Wanda Morgan Iltis, Gonzales, Gonzales County; Wilfred G. Millington, D. O., Nixon, Gonzales County; Mrs. Johnnie Marie Benson, Fort Worth, Tarrant County; Arthur B. Taylor, Vernon, Wilbarger County; James Pascal Baker, Lufkin, Angelina County. For a three-year term to expire June 2, 1973: Francis A. Flynn, Austin, Travis County.

To be a Member of the Board of Regents of Texas Woman's University: For a six-year term to expire January 10, 1977: John Shivers, Austin, Travis County; Mrs. Marcella Perry, Houston, Harris County; Reagan Houston, III, San Antonio, Bexar County.

To be a Member of the Texas Board of Mental Health and Mental Retardation: For a term to expire January 31, 1973: Barnie B. Rushing, Jr., Lubbock, Lubbock County; Joe K. Butler, Houston, Harris County. For a term to expire January 31, 1975: Dr. Leonides Gonzalez Cigarroa, Laredo, Webb County. For a six-year term to expire January 31, 1977: Dr. Olin Burr Gober, Temple, Bell County; Dr. Walter Allen Brooks, Quanah, Hardeman County; O. J. Baker, Prairie View, Waller County.

To be a Member of the State Board of Plumbing Examiners: For a term to expire May 28, 1971: William Howard Williams, League City, Galveston County. For a six-year term to expire September 5, 1973: Robert Leon Wingler, Wichita Falls, Wichita County; Arthur D. Goodman, Beaumont, Jefferson County. For a six-year term to expire September 5, 1975: Steve M. Chuoke, Texas City, Galveston County; Kurt A. J. Monier, San Antonio, Bexar County.

To be a Member of The Finance Commission of Texas: For a six-year term on the Building and Loan Section to expire February 1, 1975: Rex G. Baker, Jr., Houston, Harris County.

To be a Member of the Texas Employment Commission: For a six-year term to expire November 21, 1976: Harold K. Dudley, Austin, Travis County.

To be District Judge, 14th Judicial District: Fred S. Harless, Dallas, Dallas County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:10 o'clock p.m.

Senate Bills on First Reading

Senator Word moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Moore

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 997, A bill to be entitled "An Act amending Article 12 of Chapter IV of the Texas Banking Code of 1943, Acts 48th Legislature, providing authority for the Banking Commissioner, in the case of certain violations and unsound practices of state banks, to issue cease and desist orders and orders for removal from office to state banks and offending officers, directors or employees; providing for appeals from such orders to the Banking Section of the Finance Commission rather than to the State Banking Board; providing for penalties of up to \$500 per day for viola-

tion of such orders, and for suits for collections and injunctions by the Attorney General; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 998, A bill to be entitled "An Act amending Chapter VI of the Texas Banking Code of 1943, Acts 48th Legislature by adding thereto a new article, being numbered 7A, relating to and defining brokered funds, construing them as 'notes, bonds, and other evidence of indebtedness' and not as deposits, relating to authority of the Commissioner to regulate; declaring the duty of a bank issuing such contract of repayment to state therein that in the event of liquidation of the bank, the contract holder and owner shall be treated as a common creditor and not as a depositor of the bank; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 999, A bill to be entitled "An Act amending Chapter VIII of the Texas Banking Code of 1943, Acts 48th Legislature, as amended by adding a new Article, numbered Article 17 relating to bank delinquencies and their prevention, supervision and conservatorship and liquidation proceedings; defining the legislative purposes and findings; declaring public policy; defining words, terms and phrases used in this Act; stating the application and scope of this Article; authorizing the Commissioner, under prescribed conditions, to notify banks to comply, under the Commissioner's supervision, with his lawful written requirements within sixty (60) days; authorizing the Commissioner, after notice and hearing, to take charge of any bank which fails to comply with his lawful requirements; prohibiting certain acts during the sixty

(60) day period of supervision; providing for the appointment of conservators and prescribing their duties; providing for rehabilitation of banks; providing for suits in the nature of quo warranto to be brought against banks by the Attorney General; providing that costs of supervision and conservatorship shall be charges against banks; providing for judicial review and for staying actions of conservators or of the Commissioner; fixing venue; prescribing the duration of conservatorships; authorizing administrative election of proceedings; authorizing the Banking Section of the Finance Commission of Texas to promulgate rules and regulations; declaring that other statutes and laws are authorized for use and application in conjunction with this Article; declaring the Act cumulative of other laws and that its provisions shall govern if in conflict with other laws; providing severability; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 1000, A bill to be entitled "An Act amending Article 3 of Chapter VIII of the Texas Banking Code of 1943, Acts of 48th Legislature, relating to transfer of appellate authority from the State Banking Board to the Banking Section of the Finance Commission of Texas; pertaining to notice and hearing before such Banking Section; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 1001, A bill to be entitled "An Act amending Article 5 of Chapter III of the Texas Banking Code of 1943, Acts 48th Legislature, relating to application for and granting of state bank charters; providing the conditions for the grant of charters, the procedure for filing applications with the Banking Commissioner, the listing of subscribers to stock; providing for conference with applicants, the investigation of applications and the expense thereof; providing for

hearings of the State Banking Board to determine said applications, and the approval or conditional approval of said applications; providing for severability; providing that all laws or parts of laws which are in conflict with this act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 1002, A bill to be entitled "An Act amending Article 15 of Chapter I of the Texas Banking Code of 1943, Acts 48th Legislature, relating to the State Banking Board, providing for three (3) members, with the Banking Commissioner as chairman, providing duties of the Board; providing for adoption of rules of practice and procedure for executive sessions in certain instances, for minutes to evidence the board's decisions; to prohibit ownership of certain stock and the disclosure thereof; to allow the deputies of certain officials to sit at board hearings; providing for appeal to the District Court; providing for severability; providing that all laws or parts of laws in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 1003, A bill to be entitled "An Act amending Article 6 of Chapter VI of the Texas Banking Code of 1943, Acts 48th Legislature, relating to cash reserves, calculation, reserve depositaries and amounts, and increasing the penalty for failure to maintain total reserves required from \$50 per week to not more than \$500 per week, and providing for recovery of such penalties; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To Committee on Banking.

By Senators Word, Aikin, Snelson, Harris and Ratliff:

S. B. No. 1004, A bill to be entitled "An Act amending Chapter IX of the Texas Banking Code of 1943, Acts 48th Legislature, by adding thereto a new Article 11, relative to appeals

from final orders of the State Banking Board and Finance Commission, and providing the right of aggrieved parties to appeal to district court within thirty (30) days of such order; providing for trial under the substantial evidence rule; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To Committee on Banking.

By Senators Watson, Word, Aikin, Snelson, Ratliff and Harris:

S. B. No. 1005, A bill to be entitled "An Act relating to and regulating relationships, direct and indirect, of officers, directors and certain shareholders of insurance companies; amending Chapter I of the Insurance Code of Texas by adding Article 1.29; making provision as respects conflicts and ambiguities; containing a severance clause; and declaring an emergency."

To Committee on Insurance.

House Bill 253 Re-Referred

On motion of Senator Sherman, and by unanimous consent, H. B. No. 253 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on County, District and Urban Affairs.

Conference Committee on Senate Bill 43

The President asked if there were any motions to instruct the Conference Committee on S. B. No. 43 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Schwartz, Kothmann, Beckworth, Mauzy and Word.

Reports of Standing Committee

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 927.

H. B. No. 1003 (Amended).

H. B. No. 197.

House Bill 197 Ordered Not Printed

On motion of Senator Hall and by unanimous consent H. B. No. 197 was ordered not printed.

House Bill 927 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent H. B. No. 927 was ordered not printed.

House Bill 1003 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent H. B. No. 1003 was ordered not printed.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 12, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 432, A bill to be entitled "An Act relating to mortgage guaranty insurance; etc.; and declaring an emergency."

(With Amendment.)

S. B. No. 662, A bill to be entitled "An Act relating to the assessment of property and casualty insurers for the protection of the policyholders and claimants of impaired property and casualty insurers; etc; and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act amending statutes to increase the aggregate principal amount of bonds which the District may issue; to eliminate the five per centum (5%) per annum maximum interest cost authorized for bonds which the District may issue and authorize such interest costs on such bonds as shall be determined within the discretion of the Board of Directors of the District; and to increase the authorized aggregate thermal capacity of the one or more steam generating plants the District is authorized to acquire, install, construct, enlarge, make additions to, and operate to not more than 1,500,000 kilowatts; and by clarifying the provision relative to excess funds; by re-enacting the remainder of said Section 10 without change; by repealing the provisions of Section 10a

of said Act; containing a severability clause; and declaring an emergency."

(With Amendment)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Recess

On motion of Senator Aikin the Senate at 12:15 o'clock p.m. took recess until 3:00 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 3:00 o'clock p.m. today.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 12, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

All necessary rules suspended, and the Conference Committee report on S. B. No. 40 adopted by a vote of 102 Ayes, 12 Noes.

19 Present not voting.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 329.

Conferees: Hale, Murray, Salem, Ogg, Parker of Jefferson.

H. C. R. No. 142, Welcoming members of the American Legion to the National Convention in Houston.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Message From the Governor

The following message received from the Governor was read and referred to the Committee on Nominations:

Austin, Texas
May 12, 1971

To the Senate of the Sixty-Second Legislature:

I herewith request the consent of the Senate to recall the appointment of ELMER C. BAUM, D.O., of Austin, Travis County, to be a member of the State Banking Board, submitted to the Senate January 18, 1971.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

**Senate Bill 730 With
House Amendments**

Senator Jordan called S. B. No. 730 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend Senate Bill 730 by striking everything below the enacting clause and substituting in lieu thereof the following:

Section 1. That Section 1 of House Bill No. 474, Chapter 279, Acts of the 53rd Texas Legislature, Regular Session, 1953, be amended so that subparagraph (c) of Article 5.76, Insurance Code of Texas, shall read hereafter as follows:

"(c) It shall be the duty of the companies and associations, members of the Agency established pursuant to paragraph (b) of this Article, to provide insurance, in the manner herein provided, for any risk under the Workmen's Compensation Law of Texas and/or the Longshoreman's and Harbor Workers' Compensation Act, or for any city, county or any other political subdivision, agency or department of the State authorized to provide workmen's compensation insurance for its employees under any laws of the State of Texas, heretofore or hereafter enacted, which risk shall have been tendered to and rejected by any member of said Agency. It shall be the further duty of the companies and associations, members of the Agency established pursuant to paragraph (b) of this Article to provide insurance in the manner herein provided, on all policies and claims, in existence, for any insurance company which has been declared insolvent by the courts of this state or any other

state in the same manner as if said policies had been written by servicing companies of this Agency. With respect to said claims in existence at the time of said declaration of insolvency and paid by the Agency, the Agency shall have the same rights against the Receiver of said insolvent company as are provided by the laws of this state for workmen's compensation loss claimants of the insolvent insurance company. From and after the date the rules made and adopted under paragraph (e) have been approved by the Board the procedures and remedies established under this Article shall be the sole and exclusive procedure and remedies, either at law or in equity, of any applicant for such insurance whose insurance has been rejected or cancelled by any company or association."

Section 2. If any word, phrase, clause, paragraph, sentence, part, portion or provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act in all its particulars and to all other persons and circumstances shall be valid and of full force and effect, and the Legislature hereby declares that this Act would have been enacted without such invalid or unconstitutional word, phrase, clause, paragraph, sentence, part, portion or provision and to this end the provisions of this Act are declared to be severable.

Section 3. All laws or parts of laws in conflict with this Act are hereby repealed to the extent of such conflict only.

Section 4. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and this Act shall take effect and be in force sixty (60) days from and after its passage.

Floor Amendment No. 1

Amend Committee Amendment No. 1 to Senate Bill No. 730 by adding thereto a new Section to be designated and numbered Section 2.1, and which shall read as follows:

"Section 2.1. As respects claims for injury sustained prior to the effective date of this Act, no inchoate, vested, matured, existing or other rights, remedies, powers, duties, or authority, either of any employee or legal beneficiary, or of the Board, or of the association, or of any other person shall be in any way affected by any of the amendments or repeals herein made to the original law hereby amended or repealed, but all such rights, remedies, powers, duties, and authority shall remain and be in force as under the original law just as if the amendments or repeals hereby adopted had never been made, and to that end it is hereby declared that as respects such injuries occurring prior to the effective date of this Act, said original law is not repealed, but the same is, and shall remain in full force and effect as to all such rights, remedies, powers, duties, and authority; and further this Act insofar as it adopts the law of which it is an amendment is a continuation thereof, and only in other respects a new enactment."

Floor Amendment No. 2

Amend S. B. No. 730 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

An Act amending H. B. No. 474, Ch. 279, Acts of the 53rd Texas Legislature, Regular Session, 1953 (codified as Article 5.76 Insurance Code of Texas); providing that cities, counties, other political subdivisions, agencies and departments in the State of Texas are authorized by any law in this state to provide Workmen's Compensation Insurance for its employees may obtain such coverage in accordance with Article 5.76 Insurance Code of Texas; and further making the Texas Workmen's Compensation Assigned Risk Pool responsible for all policies and claims in existence for any insurance company which has been declared insolvent by the Courts of this State or any other state in the same manner as if said policy had been written by the servicing company of this agency and providing further that the agency shall have the same rights against the receiver of said insolvent company as provided by

the laws of this state for Workmen's Compensation loss claimants of the insolvent insurance company; providing that this Act shall not affect any rights which have vested or accrued prior to the effective date hereof, and retaining prior laws in effect, insofar as injuries sustained prior to the effective date hereof; providing for a savings clause; repealing all laws in conflict; and declaring an emergency."

The House amendments were read.

Senator Jordan moved that the Senate concur in the House amendments.

The motion prevailed.

Report of Standing Committee

By unanimous consent, Senator Moore submitted the following report for the Committee on State Affairs:

H. B. No. 314 (Amended).

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 1149, To Committee on Water and Conservation.

H. B. No. 1153, To Committee on Water and Conservation.

H. B. No. 1163, To Committee on Jurisprudence.

H. B. No. 1202, To Committee on Jurisprudence.

H. B. No. 1207, To Committee on County, District and Urban Affairs.

H. B. No. 1216, To Committee on County, District and Urban Affairs.

H. B. No. 1268, To Committee on County, District and Urban Affairs.

H. B. No. 1353, To Committee on County, District and Urban Affairs.

H. B. No. 1409, To Committee on Banking.

H. B. No. 1414, To Committee on Water and Conservation.

H. B. No. 1492, To Committee on Water and Conservation.

H. B. No. 1596, To Committee on County, District and Urban Affairs.

H. B. No. 1607, To Committee on County, District and Urban Affairs.

H. B. No. 1618, To Committee on County, District and Urban Affairs.

H. B. No. 1627, To Committee on County, District and Urban Affairs.

H. B. No. 1632, To Committee on County, District and Urban Affairs.

H. B. No. 1656, To Committee on County, District and Urban Affairs.

H. B. No. 1662, To Committee on Education.

H. B. No. 1672, To Committee on Water and Conservation.

H. B. No. 1683, To Committee on County, District and Urban Affairs.

H. B. No. 1714, To Committee on Insurance.

H. B. No. 1724, To Committee on Water and Conservation.

H. B. No. 267, To Committee on Jurisprudence.

H. B. No. 268, To Committee on Jurisprudence.

H. B. No. 272, To Committee on State Affairs.

H. B. No. 416, To Committee on Banking.

H. B. No. 466, To Committee on Youth Affairs.

H. B. No. 534, To Committee on Jurisprudence.

H. B. No. 591, To Committee on Labor and Management Relations.

H. B. No. 579, To Committee on County, District and Urban Affairs.

H. B. No. 631, To Committee on Jurisprudence.

H. B. No. 638, To Committee on State Affairs.

H. B. No. 827, To Committee on Water and Conservation.

H. B. No. 839, To Committee on County, District and Urban Affairs.

H. B. No. 843, To Committee on Privileges and Elections.

H. B. No. 857, To Committee on Commerce and Industry.

H. B. No. 862, To Committee on State Affairs.

H. B. No. 887, To Committee on Jurisprudence.

H. B. No. 968, To Committee on Insurance.

H. B. No. 50, To Committee on Jurisprudence.

H. B. No. 52, To Committee on Environment.

H. B. No. 132, To Committee on County, District and Urban Affairs.

H. B. No. 263, To Committee on Jurisprudence.

H. B. No. 1684, To Committee on State Departments and Institutions.

Bills Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 398.

S. B. No. 116.

S. B. No. 929.

House Bill 749 Re-Referred

On motion of Senator Brooks, and by unanimous consent, H. B. No. 749 was withdrawn from the Committee on State Affairs and re-referred to the Committee on State Department and Institutions.

Senate Bills on First Reading

Senator Hall moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Grover
Bridges	Hall

Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kennard	Wallace
Kothmann	Watson
Mauzy	Wilson
McKool	Word
Moore	

The following bills were then introduced, read first time and referred to the Committee indicated:

By Senator Brooks:

S. B. No. 1007, A bill to be entitled "An Act relating to the immunization of children admitted to child caring institutions and facilities; amending Subsection 9a, Section 8(a), Chapter 1, General Laws, page 544, Acts of the 46th Legislature, 1939, as added by House Bill 106, Acts of the 62nd Legislature, Regular Session, 1971 (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on Public Health.

By Senator Hall:

S. B. No. 1008, A bill to be entitled "An Act amending various laws pertaining to the affairs of counties, cities, and school districts in order to recognize the effect of the recent federal census; providing an effective date; and declaring an emergency."

To Committee on County, District and Urban Affairs.

(President in Chair)

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 1008 (Floor Report).

C. S. H. B. No. 363 (Read first time) (Floor Report).

H. B. No. 1525 (Floor Report).

H. B. No. 239 (Floor Report).

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

S. B. No. 655 (Adversely).

Senate Bill 1008 Ordered Not Printed

On motion of Senator Hall and by unanimous consent, S. B. No. 1008 was ordered not printed.

House Bill 1440 on Second Reading

Senator Creighton asked unanimous consent to suspend the regular order of business and take up H. B. No. 1440 for consideration at this time.

There was objection.

Senator Creighton then moved to suspend the regular order of business and take up H. B. No. 1440 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Herring
Bates	Hightower
Beckworth	Kothmann
Blanchard	Moore
Bridges	Patman
Christie	Ratliff
Connally	Sherman
Creighton	Snelson
Hall	Watson
Harris	Wilson

Nays—9

Bernal	Mauzy
Grover	McKool
Harrington	Schwartz
Jordan	Wallace
Kennard	

Absent

Brooks	Word
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1440, A bill to be entitled "An Act relating to financial assistance for construction of waste water treatment facilities; and declaring an emergency."

The bill was read second time.

(Senator Wilson in Chair.)

Senator Creighton offered the following Committee Amendment to the bill:

Amend Subsection (b), quoted Section 7.10, House Bill No. 1440, to read as follows:

"(b) Before the delivery of any water quality enhancement funds to the political subdivision, the board with the advice of the development fund manager and the political subdivision shall execute a loan agreement which shall provide that the political subdivision shall pay into the appropriate account not less than the amount necessary to repay the principal of and interest on the loan over the period of time and under the terms and conditions which are mutually agreeable to the Texas Water Development Board and the political subdivision. The contract may also include any other terms and conditions which the board may require."

The Committee Amendment was read and was adopted.

Senator Creighton offered the following Committee Amendment to the bill:

Amend House Bill No. 1440 by deleting quoted Section 7.13.

The Committee Amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend H. B. 1440 by striking Section 7.10(f).

The amendment was read and was adopted.

Senator Wallace offered the following amendment to the bill:

Amend Section 7.08, Subsection 2 by deleting all of said Subsection 2.

The amendment was read and was adopted.

Senator Wallace offered the following amendment to the bill:

Amend H. B. No. 1440 by deleting Subsection (4) of Sec. 7.08 of Sec. 1.

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend H. B. 1440 by striking the word "shall" on line 12 of page 9 of the bill, Section 7.10(e) of the bill, and substituting therefor the word "may."

The amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators Kennard and Grover asked to be recorded as voting "Nay" on the passage of the bill to third reading.

House Bill 1440 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1440 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Nays—1

Kennard

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Brooks
Bates	Christie
Beckworth	Connally
Bernal	Creighton
Blanchard	Hall
Bridges	Harrington

Harris	Ratliff
Herring	Schwartz
Hightower	Sherman
Jordan	Snelson
Kothmann	Wallace
Mauzy	Watson
McKool	Wilson
Moore	Word
Patman	

Nays—2

Grover Kennard

Senate Bill 629 With
House Amendment

Senator Hightower called S. B. No. 629 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Floor Amendment No. 1

Amend S. B. No. 629 by striking all below the Enacting Clause and substituting in lieu thereof the following:

Section 1. Section 2, Chapter 255, Acts of the 53rd Legislature, Regular Session, 1953 (Article 5382e, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 2. If, at the expiration of the primary term of any oil or gas lease heretofore or hereafter issued by the Commissioner of the General Land Office covering areas described in Section 1 hereof, production of oil or gas has not been obtained on the leased premises but drilling operations are being conducted thereon in good faith and in good and workmanlike manner, the lessee may, on or before the expiration of the primary term, file in the General Land Office written application to the Commissioner of the General Land Office for a thirty (30) day extension of such lease, accompanied by payment of Three Thousand (\$3,000.00) Dollars for six hundred forty (640) acres or less, and Six Thousand Dollars (\$6,000.00) for more than six hundred forty (640) acres, and the Commissioner shall, in writing, extend such lease for a thirty (30) day period from and after the expiration of the primary term and so long thereafter as oil or gas is produced in paying quantities; provided further, that

lessee may, so long as such drilling operations are being conducted, make like application and payment during any thirty (30) day extended period for an additional extension of thirty (30) days and, upon receipt of such application and payment, the Commissioner shall, in writing, again extend the lease so that same shall remain in force for such additional thirty (30) day period and so long thereafter as oil or gas is produced in paying quantities; provided, however, that no lease shall be extended under the provisions of this section for more than a total of three hundred ninety (390) days from and after the expiration of the primary term unless production in paying quantities has been obtained.

Sec. 2. The fact that the present law relating to extensions of the term of oil and gas leases issued by the Commissioner of the General Land Office permits extensions for only 180 days which is insufficient for deep drilling, and the importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House, and the Constitutional Rule requiring bills to take effect and go into force 90 days after adjournment be suspended, and said Rules are hereby suspended, and this Act shall take effect and be enforced from and after its passage and it is so enacted.

The House amendment was read.

Senator Hightower moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—31

Aikin	Harris
Bates	Herring
Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman

Snelson
Wallace
Watson

Wilson
Word

Senate Bill 612 With House Amendment

Senator Hightower called S. B. No. 612 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Section 2 (d) of Section 1 of S. B. 612 to read as follows:

"(d) In addition to other authority granted by this Act, the State Board of Insurance shall formulate, adopt, and promulgate rules and regulations for the safe movement and operation of mobile service units and for the safe dispensing of flammable liquids by mobile service units. As used in this Act, and in the rules promulgated hereunder, 'mobile service units' are vehicles, tank trucks, or other mobile devices from which flammable liquids used as motor fuels may, as an act of retail sale, be dispensed into the fuel tanks of motor vehicles parked on off-street parking facilities; provided that any city may, by ordinance, within one hundred and eighty (180) days after promulgation by the State Board of Insurance of statewide regulations hereunder, adopt rules and regulations covering such units which are more restrictive but not less restrictive than those adopted by the State Board of Insurance hereunder and in addition thereto any city may license and charge a reasonable license fee for the operation of each such mobile service unit operating in such city. The rules and regulations promulgated under this act shall have uniform force and effect throughout the State and no municipality or county shall hereinafter enact or enforce any ordinance, rules or regulations inconsistent with the rules and regulations promulgated hereunder except as provided herein. Provided, however, that any municipal or county ordinances, rules or regulations in force and effect on the effective date of this act, including the prohibition of mobile service units, shall not be invalidated because of any provision of this act."

The House amendment was read.

Senator Hightower moved that the Senate concur in the House amendment.

The motion prevailed.

House Bill 854 on Second Reading

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 854, A bill to be entitled "An Act to amend Statutes to authorize and make eligible, subject to approval, a county-line independent school district hereafter resulting from the consolidation of two or more contiguous county-line accredited 12-grade independent school districts, for incentive aid payments although the resulting district contains fewer than 750 children in average daily attendance; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 854 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 854 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1644 on Second Reading

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1644, A bill to be entitled "An Act relating to the salaries of justices of the peace in certain counties; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1644 on Third Reading

Senator Watson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1644 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Bates	Hightower
Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace

Watson
Wilson

Word

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1525 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent H. B. No. 1525 was ordered not printed.

House Bill 239 Ordered Not Printed

On motion of Senator Bridges and by unanimous consent H. B. No. 239 was ordered not printed.

Co-Authors of Senate Bill 971

On motion of Senator Brooks and by unanimous consent, Senators Patman, Bernal, Kennard and McKool will be shown as Co-authors of S. B. No. 971.

Senate Concurrent Resolution 97

Senator Bates offered the following resolution:

S. C. R. No. 97, Requesting Enrolling Clerk to make certain corrections in S. B. No. 413.

The resolution was read.

On motion of Senator Bates and by unanimous consent, the resolution was considered immediately and was adopted.

Memorial Resolutions

S. R. No. 1199—By Senator Schwartz: Memorial resolution for Dr. Edward Randall, Jr.

S. R. No. 1200—By Senator Blanchard: Memorial resolution for R. H. "Bob" Hester.

S. R. No. 1201—By Senator Blanchard: Memorial resolution for Eulyses A. Gentry.

Welcome and Congratulatory Resolutions

S. R. No. 1197—By Senator Brooks: Extending congratulations to The City of Pasadena on its 75th birthday (Amended).

S. R. No. 1198—By Senator Creighton: Extending welcome to Senior Class of Graford High School.

S. R. No. 1202—By Senator Watson: Extending welcome to Temple Junior College Choir.

S. R. No. 1203—By Senator Watson: Extending welcome to Garland Baker, et al.

S. R. No. 1204—By Senator Watson: Extending welcome to Bill Pittman, et al.

S. R. No. 1205—By Senator Aikin: Extending welcome to Dr. and Mrs. William C. Ragan.

S. R. No. 1206—By Senator Watson: Extending welcome to Dr. Hubert Dawson.

S. R. No. 1207—By Senator Watson: Extending welcome to Joe Allen, et al.

S. R. No. 1208—By Senator Watson: Extending welcome to Seventh Grade of Riesel Junior High School.

S. R. No. 1209—By Senator Hightower: Extending welcome to Miss Judy Jaffe of Sidney, Australia.

Recess

On motion of Senator Moore the Senate at 4:00 o'clock p.m. took recess until 9:15 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 12, 1971

S. B. No. 232.

S. B. No. 372.

S. B. No. 807.

S. B. No. 652.

S. B. No. 338.

S. B. No. 245.

S. B. No. 563.

S. B. No. 255.

S. B. No. 412.

S. B. No. 502.

S. B. No. 424.

S. B. No. 870.

S. B. No. 917.

S. B. No. 414.

S. B. No. 128.

S. B. No. 543.

S. B. No. 929.

Communications From Secretary of Senate

THE SENATE OF THE STATE OF TEXAS AUSTIN 78711

May 12, 1971.

The Honorable Preston Smith,
Governor of Texas,
Austin, Texas.

Dear Governor Smith:

The Senate inadvertently reported to you the confirmation of Henry H. (Hal) Dewar, San Antonio, Bexar County, to be a member of the Board of Directors of Texas Southern University. Please be advised that the notification should have shown that he was confirmed as a member of the Southern Regional Education Board of Control.

Sincerely yours,
CHARLES A. SCHNABEL,
Secretary of the Senate.

CAS/pb

cc: Secretary of State
Nominations Committee
Journal Clerk

THE SENATE OF THE STATE OF TEXAS AUSTIN 78711

May 12, 1971.

The Honorable Preston Smith,
Governor of Texas,
Austin, Texas.

Dear Governor Smith:

Pursuant to your request, the Senate of the 62nd Legislature, Regular Session, is returning the following appointments:

Luke Hagood
Texas Conservation Foundation

Russell Cummings
Southern Regional Education Board
of Control

Curtis C. Gunn
San Antonio River Authority

Thomas Drought
San Antonio River Authority

Dr. Elmer Baum
State Banking Board

These appointees were neither confirmed nor rejected by the Senate. They are being returned to you at your request with no action being taken thereon.

Sincerely yours,
CHARLES A. SCHNABEL,
Secretary of the Senate.

CAS/pb
cc:Senate Journal Clerk

SIXTY-NINTH DAY

(Continued)

After Recess

(Thursday, May 13, 1971)

The Senate met at 9:15 o'clock a.m., and was called to order by Senator Hall.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Co-Author of Senate Bill 877

On motion of Senator Hightower and by unanimous consent, Senator Sherman will be shown as Co-author of S. B. No. 877.

Committee on Education Granted Permission to Meet While Senate in Session

On motion of Senator Mauzy and by unanimous consent, the Committee on Education was granted permission to meet while the Senate was in session.

Committee on Environment Granted Permission to Meet While Senate in Session

On motion of Senator Watson and by unanimous consent, the Committee on Environment was granted permission to meet while the Senate was in session.

Reports of Standing Committees

By unanimous consent, Senator Moore submitted the following reports for the Committee on State Affairs:

S. B. No. 789.
S. B. No. 787.
S. B. No. 773.
S. B. No. 4.
H. C. R. No. 67.
H. B. No. 637.
H. B. No. 750.
H. B. No. 297.
S. B. No. 875.
S. B. No. 969.
H. B. No. 752.
S. B. No. 82 (Amended).

By unanimous consent Senator Bates submitted the following report for the Committee on Transportation:

H. C. R. No. 41 (Floor Report).

By unanimous consent, Senator Brooks submitted the following reports for the Committee on State Departments and Institutions:

H. B. No. 1352.
H. B. No. 66.
H. B. No. 1270.
H. B. No. 749.